

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>DYSON TECHNOLOGY LIMITED, and</b>	)	
<b>DYSON, INC.,</b>	)	
	)	
	)	<b>Plaintiffs,</b>
<b>v.</b>	)	<b>Civil Action No. 05-434 GMS</b>
	)	
<b>MAYTAG CORPORATION,</b>	)	
	)	
	)	
	)	<b>Defendant.</b>

**DEFENDANT / COUNTERCLAIM PLAINTIFF HOOVER, INC.'S  
PROPOSED VERDICT FORM AND SPECIAL INTERROGATORY**

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**VERDICT FORM**

WE THE JURY, in the above-titled action, find the following special verdict on the following questions submitted to us:

**Count I – False Advertising Under The Lanham Act**

Choose Alternative A or Alternative B.

Alternative A – On Hoover's False Advertising Claim under the Lanham Act, we the jury find in favor of Hoover and we award the following damages:

Dyson's Profits Obtained From False Advertising	\$ _____
Hoover's Past Profits Lost Because of False Advertising	\$ _____
Hoover's Future Profits Lost Because of False Advertising	\$ _____
Corrective Advertising Required	\$ _____

We the jury also DO / DO NOT (select one) find that this case is exceptional pursuant to the Court's instructions.

\_\_\_\_\_  
Foreperson

\_\_\_\_\_  
juror

\_\_\_\_\_  
juror

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juror

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juror

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juror

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juror

\_\_\_\_\_  
juror

Alternative B -- On Hoover's False Advertising Claim under the Lanham Act, we the jury find in favor of Dyson and we award no damages.

\_\_\_\_\_  
Foreperson

\_\_\_\_\_  
juror

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juror

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juror

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juror

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juror

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juror

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juror

**Count II – Deceptive Trade Practices Under Delaware Law**

Choose Alternative A or Alternative B.

Alternative A – On Hoover's deceptive trade practices claim under Delaware law, we the jury find in favor of Hoover and we award the following damages:

Hoover's Past Profits Lost Because of False Advertising	\$ _____
Hoover's Future Profits Lost Because of False Advertising	\$ _____
Corrective Advertising Required	\$ _____

We the jury also DO / DO NOT (select one) find that Dyson's conduct was willful pursuant to the Court's instructions.

\_\_\_\_\_  
Foreperson

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juror

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juror

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juror

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juror

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juror

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juror

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juror

Alternative B -- On Hoover's claim for deceptive trade practices under Delaware law, we the jury find in favor of Dyson and we award no damages.

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Foreperson

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juror

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juror

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juror

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juror

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juror

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juror

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juror

**Count III – Unfair Competition Under Delaware Law**

Choose Alternative A or Alternative B.

Alternative A – On Hoover's claim for unfair competition under Delaware law, we the jury find in favor of Hoover and we award the following damages:

Hoover's Past Profits Lost Because of False Advertising	\$	_____
Hoover's Future Profits Lost Because of False Advertising	\$	_____
Corrective Advertising Required	\$	_____

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Foreperson

\_\_\_\_\_  
juror

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juror

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juror

Alternative B -- On Hoover's claim for unfair competition under Delaware law, we the jury find in favor of Dyson and we award no damages.

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Foreperson

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juror

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juror

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juror

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juror

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juror

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juror

**SPECIAL INTERROGATORY PURSUANT TO F.R.C.P. 39(c)**

For purposes of assisting the Court with respect to the scope of any injunction to be entered in this case, we the jury advise the Court that we find (by checking "yes" below) the following categories of advertising claims to be false and misleading:

	<u>Yes</u>	<u>No</u>
A. Dyson Vacuum Cleaners Never Lose Suction	_____	_____
B. Dyson Vacuum Cleaners Have Superior Suction Power	_____	_____
C. Dyson Vacuum Cleaners Do Not Rely On Filters	_____	_____
D. Dyson Vacuum Cleaners Do Not Clog	_____	_____
E. Dyson Vacuum Cleaners Pick Up More Dirt and/or Clean Better Than Other Vacuums	_____	_____
F. Other Vacuum Cleaners Do Not Work Properly	_____	_____
_____		
G. Dyson Vacuum Cleaners Are Approved For Allergy Sufferers and/or Are Hygienic	_____	_____
H. Dyson Vacuum Cleaners Generate Forces That Are 100,000 Times the Force of Gravity	_____	_____
I. Dyson Vacuum Cleaners Are Made of Liquid Steel	_____	_____
J. James Dyson Invented the Integral Hose and/or Cyclonic Technology	_____	_____



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Foreperson

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juror

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juror

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**CERTIFICATE OF SERVICE**

I, Francis DiGiovanni, hereby certify that on April 2, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

C. Barr Flinn  
John W. Shaw  
Young Conaway Stargatt & Taylor LLP  
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1000 West Street, 17th Floor  
Wilmington, Delaware 19801

I further certify that on April 2, 2007, I caused a copy of the foregoing document to be served by hand delivery and e-mail on the above-listed counsel of record, and by e-mail and first class mail on the following counsel of record:

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/s/ Francis DiGiovanni  
Francis DiGiovanni (#3189)